

# **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Christopher J. Kovanes, Town Administrator

**PREPARED BY:** Barbara McDaniel, MMC, Assistant Town Clerk

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** Townwide

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CALLING FOR A MAIL BALLOT ELECTION TO SUBMIT TO THE VOTE OF THE RESIDENTS OF DAVIE BY REFERENDUM A MEASURE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$25,000,000.00 FOR THE PURPOSE OF PRESERVING OPEN SPACE, PROTECTING NATURAL AREAS FROM OVER-DEVELOPMENT, PRESERVING AND IMPROVING WILDLIFE HABITAT, PRESERVING THE WATER QUALITY OF WATER BODIES WITHIN THE TOWN OF DAVIE, CONSTRUCTING AND MAINTAINING PARKS AND COMPLETING THE TOWN OF DAVIE'S RECREATIONAL TRAIL SYSTEM; AND SETTING THE DATE FOR SAID ELECTION.

**REPORT IN BRIEF:** On May 4, 2005, Council approved an ordinance on first reading declaring its intent to submit to the Town voters a bond referendum not to exceed \$25,000,000 for the purpose of preserving open space, protecting natural areas from over-development, preserving and improving wildlife habitat, preserving the water quality of water bodies, constructing and maintaining parks and completing the Town's recreational trail system. Staff is anticipating that Town Council will approve the ordinance on second and final reading on May 18, 2005.

At this time, the Town Clerk's Office is awaiting final approval of the mail ballot election date from the Broward County Supervisor of Elections Office.

**PREVIOUS ACTIONS:** On January 26, 1989, Council approved Resolution R-89-34, approving a \$10,000,000 open space bond referendum, which was approved by 79% of the voters.

**CONCURRENCES:** n/a

**FISCAL IMPACT:** Has request been budgeted? no  
If yes, expected cost: \$80,000

**RECOMMENDATION(S):** Motion to approve the resolution subject to mail ballot election date approval by the Broward County Supervisor of Elections Office

**Attachment(s):** Resolution, Letter to Supervisor of Elections

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CALLING FOR A MAIL-BALLOT ELECTION TO SUBMIT TO THE VOTE OF THE RESIDENTS OF DAVIE BY REFERENDUM A MEASURE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED \$25,000,000.00 FOR THE PURPOSE OF PRESERVING OPEN SPACE, PROTECTING LAND, PRESERVING AND IMPROVING WILDLIFE HABITAT, PRESERVING THE WATER QUALITY OF WATER BODIES WITHIN THE TOWN OF DAVIE, CONSTRUCTING AND MAINTAINING PARKS AND COMPLETING THE TOWN OF DAVIE'S RECREATIONAL TRAIL SYSTEM; AND SETTING THE DATE FOR SAID ELECTION.

WHEREAS, on May 4, 2005, the Town Council approved an ordinance on first reading declaring its intent to submit to the Town voters a bond referendum not to exceed \$25,000,000 for the purpose of preserving open space, protecting land, preserving and improving wildlife habitat, preserving the water quality, constructing and maintaining parks and completing the Town's recreational trail system; and

WHEREAS, it is anticipated that the Town Council will approve the ordinance on second and final reading on May 18, 2005; and

WHEREAS, one option to conducting a referendum election is by mail ballot; and

WHEREAS, the Broward County Supervisor of Elections Office has provided its mail ballot election plan, which requires 120 days written notice be provided requesting a mail ballot election; and

WHEREAS, a letter was sent to Dr. Brenda Snipes, Broward County Supervisor of Elections, on May 5, 2005 requesting a mail ballot election be scheduled for September 29, 2005, anticipating that the Town Council will approve the ordinance on second and final reading on May 18, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. If approval is received by the Broward County Supervisor of Elections Office to hold a mail ballot election, said election shall occur on September 29, 2005.

SECTION 2. The bond referendum shall read as follows:

**BOND REFERENDUM FOR PRESERVATION AND PROTECTION OF LAND,  
PARKS, TRAILS, WILDLIFE HABITAT AND WATER QUALITY**

To protect land, preserve and improve wildlife habitat, parks, and water quality of water bodies, complete the recreational trails system, and with funds distributed evenly, shall the Town of Davie be authorized to issue general obligation bonds maturing no later than 20 years at interest rates not exceeding the legal maximum in an amount not exceeding \$25,000,000 payable from ad valorem taxes not exceeding 0.38 mil, subject to annual public audit?

SECTION 3. The results shall be certified by the Broward County Supervisor of Elections

Office on or about October 1, 2005 with Council certifying said results at its October 5, 2005 meeting.

SECTION 4. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005

May 5, 2005

Dr. Brenda C. Snipes  
Supervisor of Elections  
Broward Governmental Center  
115 South Andrews Avenue - Room 102  
Ft. Lauderdale, Florida 33301

Dear Dr. Snipes:

On May 18, 2005, the Town Council of the Town of Davie will be finalizing an ordinance calling for a bond issuance measure authorizing the Town to issue bonds not to exceed \$25,000,000. Please consider this letter as the Town's written request for a mail-in ballot election. Your office has furnished the mail-in ballot election plan and the Town is proposing the following dates for a September 29, 2005 bond referendum:

• Ordinance	First Reading	05/04/05
	Second Reading	05/18/05
• Written request to conduct election due	120 days prior to Election	06/01/05
• Voter Registration Books close	29 days prior to the Election	08/31/05
• Advertisement of Bond Referendum	5th week prior to election	08/25/05
	3rd week prior to election	09/08/05
• Ballots Mailed	Not sooner than 20 days prior to the Election	09/09/05
	Not later than 10 days prior to the Election	09/19/05
• Logic & Accuracy Test	Ten days prior to the Election	09/19/05
• Ballots Tabulated	Election Date	09/29/05
• Election Results Certified	Within two days of the Election	10/01/05

I have attached the ordinance that Council approved on first reading and if these dates meet with your approval, I would appreciate a response prior to the Town's April 18th Council meeting. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Russell C. Muniz  
Town Clerk